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March 28, 2008

Ms. Marlene H. Dortch  
Secretary  
Federal Communication Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: *Ex Parte Notice*  
*Interior Telephone Company's Petition for Declaratory Ruling*  
*WC Docket No. 07-102*

Dear Ms. Dortch:

On March 27, 2008, the undersigned met with Dana Shaffer, Julie Veach and Amy Bender of the Wireline Competition Bureau to discuss Interior Telephone Company's positions in the referenced docket as outlined in the attached summary, as well as the current status of Interior's negotiations of its interconnection and resale agreement with General Communication, Inc.

Pursuant to Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, this letter is being filed electronically with the Office of the Secretary. Please direct any questions regarding this matter to the undersigned.

Sincerely yours,

  
Stefan M. Lopatkiewicz  
Counsel to Interior Telephone Company, Inc.

Attachment

cc: Dana Shaffer  
Julie Veach  
Amy Bender

**WC DOCKET 07-102**  
**INTERIOR TELEPHONE CO. REQUEST FOR DECLARATORY RULING**  
**SEEKING PROPER CONSTRUCTION OF SECTION 51.715**  
**“INTERIM TRANSPORT AND TERMINATION PRICING”**

“(a) Upon request from a telecommunications carrier without an existing interconnection arrangement with an incumbent LEC, the incumbent LEC shall provide transport and termination of telecommunications traffic immediately under an interim arrangement, pending resolution of negotiation or arbitration regarding transport and termination rates and approval of such rates by a state commission under sections 251 and 252 of the Act.”

Proper interpretation is that the rule is not intended to require the incumbent to enter into interim interconnection agreement pending resolution of non-pricing issues when no dispute exists over pricing issues.

No FCC or court decision found construing this provision under the stated circumstances.

Guidance required to “remove uncertainty” in interconnection negotiations (§ 1.2 of rules)

Factors in support of Interior’s interpretation

1. Plain language of subsection (a) of the rule, restricted to negotiation and arbitration of “rates.”
  - (b) explains what rates should apply in interim
  - (d) provides for a true-up once negotiation or arbitration completed
2. Local Competition Order (¶¶ 1048-1065) was concerned with circumstances in which rates were not agreed and pending state rate proceedings or arbitration would slow down initiation of interconnection. See sections 51.705 and 51.707
3. Consistent with framework of section 252 providing timeline for negotiation and arbitration of interconnection agreements. State commission authority is plenary over terms of agreements, not restricted to rates alone.
4. Is only practical interpretation – Otherwise would force LEC to conduct parallel interconnection negotiations and “interim” interconnection negotiations.

Support for ITC’s position is widespread among incumbent LECs

NTCA

Verizon

OPASTCO

GVNW

Western Telecommunications Alliance

Qwest